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Attorneys for Defendant Jack Solomon

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JUDY GOFFMAN CUTLER

07 CV 3807 (LAP)

**Plaintiff.**

-against-

ART LOSS REGISTER, INC., and  
JACK SOLOMON,

#### Defendants.

PLEASE TAKE NOTICE that upon the annexed affirmation of Stuart M. Steinberg,  
Esq., dated August 2, 2007, the exhibits annexed thereto, and the accompanying memorandum of  
law, defendant Jack Solomon will move this Court at the United States Courthouse, United States  
District Court, Southern District of New York, Hon. Loretta A. Preska, United States District Judge,  
in Courtroom 1320, 500 Pearl Street, New York, New York, 10007 on August 16, 2007 at 9:30 a.m.  
or such other date as determined by the Court, for an order, pursuant to Rule 12(b) of the Federal  
Rules of Civil Procedure, dismissing Plaintiff's Amended Complaint with prejudice against this  
Defendant, and for such other and further relief as this Court deems just and proper.

DATED: August 2, 2007.

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
JUDY GOFFMAN CUTLER,

Plaintiff,

07 CV 3807 (LAP)

-against-

ART LOSS REGISTER, INC., and  
JACK SOLOMON,

AFFIRMATION  
IN SUPPORT

Defendants.

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**STUART M. STEINBERG, ESQ.**, an attorney duly admitted to practice law before this Court, affirms as follows:

1. I am a partner with the firm of Steinberg, Fineo, Berger & Fischoff, P.C., attorneys for defendant Jack Solomon in the above-captioned action. I respectfully submit this affirmation in support of Mr. Solomon's motion to dismiss this matter as against him

in order to put the following exhibits before the Court that are relevant to such motion:

- A true and correct copy of plaintiff's Amended Complaint is annexed hereto as Exhibit A.
- A true and correct copy of the Interpleader Counterclaim complaint in the action pending in the United States District Court, District of Nevada is annexed hereto as Exhibit B.

**WHEREFORE**, it is respectfully requested that defendant's motion to dismiss be granted in its entirety.

Dated: Woodbury, New York  
August 2, 2005

By:   
Stuart M. Steinberg, Esq.